IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

WP(C).No. 29443 of 2007(E)

OS.639/2004 of PRL.MUNSIFF COURT, CHERTHALA
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PETITIONER:

MANI @ DAMODARA PANICKER,
S/O.PARAMESWARAN NAIR, AMBATT PACHU BHAVAN,
KUTHIATHODE VILLAGE, CHERTHALA TALUK,
THURAVOOR P.O., ALLEPPEY DISTRICT,
PIN-688 532.

BY ADV. SRI.P.N.RAVINDRAN
SMT.PREETHY KARUNAKARAN
SMT.M.M.DEEPA
SRI.JAYKAR.K.S.

RESPONDENTS:
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1. KRISHNANKUTTY @ NARAYANA PANICKER,
S/O.PARAMESWARAN NAIR, BHAGI BHAVAN,
KUTHIATHODE VILLAGE, CHERTHALA TALUK,
THURAVOOR P.O., ALLEPPEY DISTRICT,PIN- 688 532.

2. K.J.SUSEELA,
W/O NARAYANA PANICKER, BHAGI BHAVAN,
KUTHIATHODE VILLAGE, CHERTHALA TALUK,
THURAVOOR P.O., ALLEPPEY DISTRICT,PIN-688 532.

3. KAMALA DEVI,
W/O.LATE PARAMESWARA PANICKER,
AMBATT BABY NILAYAM,
KUTHIATHODE VILLAGE, CHERTHALA TALUK,
THURAVOOR P.O., ALLEPPEY DISTRICT, PIN-688 532.

4. LAKSHMI (MINOR AGED 12 YEARS),
D/O.KAMALA DEVI, AMBATT BABY NILAYAM,
KUTHIATHODE VILLAGE, CHERTHALA TALUK,
THURAVOOR P.O., ALLEPPEY DISTRICT, PIN-688 532.

(REP.BY MOTHER AND GUARDIAN 3RD RESPONDENT).

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.29443 of 2007

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Dated this the 4th day of October, 2007.

JUDGMENT

This Writ Petition is filed for a direction to the Munsiff, Cherthala to dispose of an interlocutory application within a time limit and also to try and dispose of O.S.No.639 of 2004 pending before the said court. Learned counsel for the writ petitioner would submit that an amendment application, I.A.No.278 of 2007 and a violation of injunction petition, I.A.No.391 of 2007 are pending consideration before the court.

2. I may point out that violation of injunction petition shall not be clubbed with the trial of the case and it has to be disposed of independently, if possible along with the suit earlier or later. But so far as the amendment application is concerned, it has to be disposed of at the earliest before attempting to try the case.

3. Therefore, I direct the court below to dispose of the interim application as expeditiously as possible, especially the

amendment application, within a period of six weeks from today and if it is allowed, give an opportunity to the other side to file additional written statement. I also direct the court below to complete the steps and dispose of the suit within a period of six months. The court should also endeavour to dispose of the violation of injunction petition also at the earliest.

Writ Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

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